

### Best Case Bankruptcy

**CHAPTER 13 PLAN SUMMARY**

The Debtor proposes an initial plan, which is subject to modification, as follows:

**I. Plan Payments**

The plan proposes a payment of **\$525.00** per month for a period of **58** months. The Debtor shall commence payments to the Trustee within thirty (30) days from the date the petition was filed.

**II. Administrative Costs****1. Attorney fees.**

- ☒ The attorney for the Debtor will be paid the base fee of \$2,500.00. The Attorney has received \$ **0.00** from the Debtor pre-petition and the remainder of the base fee will be paid monthly by the Trustee as funds are available, after scheduled monthly payments to holders of domestic support obligations and allowed secured claims.
- ☐ The Attorney for the Debtor will file application for approval of a fee in lieu of the presumptive fee.

**2. Trustee costs.** The Trustee will receive from all disbursements such amount as approved by the Court for payment of fees and expenses**III. Priority Claims**

All pre-petition claims entitled to priority under 11 U.S.C. § 507 will be paid in full in deferred cash payments unless otherwise indicated.

**1. Domestic Support Obligations ("DSO")**

- a. ☒ None
- b. The name, address, and phone number, including area code, of the holder of any DSO as defined in § 101(14A) is as follows:

Name of DSO Claimant	Address, city, state & zip code	Telephone Number

- c. All **post-petition** DSO amounts will be paid directly by the Debtor to the holder of the claim and not by the Trustee.
- d. Arrearages owed to DSO claimants under 11 U.S.C. § 507(a)(1)(A) not presently paid through wage garnishment will be paid by the Trustee as follows:

Name of DSO Claimant	Estimated Arrearage Claim	Monthly Payment

**2. Other priority claims to be paid by Trustee**

Creditor	Estimated Priority Claim
<b>Harnett County Tax Office</b>	<b>\$131.29</b>
<b>Internal Revenue Service</b>	<b>\$0.00</b>
<b>Lee County Tax Office</b>	<b>\$276.10</b>
<b>NC Department of Revenue</b>	<b>\$0.00</b>

**IV. Secured Claims****1. Real Property Secured Claims**a. ☒ None

b. All payments on any claim secured by real property will be paid by the Trustee unless the account is current, in which case the Debtor may elect to continue making mortgage payments directly. Arrearage claims will be paid by the Trustee as separate secured claims over the term of the plan, without interest.

Creditor	Property Address	Residence or Non-residence R/NR	Current Y/N	Monthly Payment	Arrearage Amount	If Current Indicate Payment by Debtor (D) or Trustee (T)

**2. Personal Property Secured Claims**a. ☐ None

b. Claims secured by personal property will be paid by the Trustee as follows:

Creditor	Collateral	Secured Amount	Purchase Money Y/N	Under-secured Amount	Pre-confirmation adequate protection payment per § 1326(a)(1)	Post-confirmation Equal Monthly Amount (EMA)	Proposed Interest Rate
Farmers Furniture	Patio Set with umbrella	\$200.00	Y	\$204.00	\$0.00	\$3.91	5.25%
Santander Consumer USA	2013 Nissan Altima 53,000 miles; value = nada clean retail	\$19,259.00	Y	\$0.00	\$192.59	\$376.68	5.25%
W S Badcock Corporation	Lawn Mower; Fridge, Bedroom Set	\$1,300.00	Y	\$933.00	\$0.00	\$25.43	5.25%
W S Badcock Corporation	Washer, Dryer, Entertainment Center, Recliner	\$1,500.00	Y	\$1,112.00	\$0.00	\$29.34	5.25%

The Trustee will disburse pre-confirmation adequate protection payments to secured creditors holding allowed purchase money secured claims. Claims having a collateral value of less than \$2,000.00 will not receive adequate protection payments.

*To the extent that the valuation provisions of 11 U.S.C. § 506 do not apply to any of the claims listed above, the creditor's failure to object to confirmation of the proposed plan shall constitute the creditor's acceptance of the treatment of its claim as proposed, pursuant to 11 U.S.C. § 1325(a)(5)(A).*

**3. Collateral to be Released**

The Debtor proposes to release the following collateral:

Creditor	Collateral to be Released
Lendmark Financial Services	2007 Jeep Liberty 137,000 miles; value= debtors: inoperable

**4. Liens to be Avoided**

The Debtor pursuant to 11 U.S.C. § 522 proposes to avoid the following liens on property to the extent that such liens impair the Debtor's exemption:

Lien Creditor	Property
-NONE-	

**V. Co-Debtor Claims**

The Debtor proposes to separately classify for payment in full the following claims for consumer debts on which an individual is liable with the Debtor:

Creditor	Co-Debtor	Interest Rate	Monthly Payment
<b>-NONE-</b>			

**VI. General Unsecured Claims Not Separately Classified**

General unsecured claims will be paid on a pro-rata basis, with payments to commence after priority unsecured claims are paid in full. The estimated dividend to general unsecured claims is 0 %.

**VII. Executory Contracts/Leases**

- a. ☒ None
- b. The following executory contracts and/or leases will be rejected:

Creditor	Nature of lease or contract

- c. The following executory contracts and/or leases will be assumed. The Debtor will pay directly all lease payments which come due from the petition filing date until confirmation of the plan. Upon confirmation, payments will be paid as follows:

Creditor	Nature of Lease or Contract	Monthly payment	Monthly payment paid by Debtor (D) or Trustee (T)	Arrearage Amount	Arrearage paid by Debtor (D) or Trustee (T)	Arrearage monthly payment
<b>-NONE-</b>						

**VIII. Special Provisions**

- a. ☒ None
- b. Other classes of unsecured claims and treatment
- c. Other Special Terms

Date: October 30, 2015

/s/ A.B. Harrington, III

**A.B. Harrington, III 1913**

Attorney for the Debtor

Address: **Post Office Box 1072  
311 North Horner Boulevard  
Sanford, NC 27331-1072**

Telephone: **(919) 775-3447**

State Bar No. **1913**

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re: <b>Timothy Lee McMillan</b> <b>Brooke Marie McMillan</b>  SS# <u>xxx-xx-3678</u> SS# <u>xxx-xx-1240</u> <div style="text-align: right;">Debtor(s)</div>	) ) ) ) ) ) ) )	<b>NOTICE TO CREDITORS AND PROPOSED PLAN</b>  Case No. _____
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**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the Notice to Creditors and Proposed Plan was served by first class mail, postage prepaid, to the following parties at their respective addresses:

**Reid Wilcox**  
**Clerk of Court**  
**U.S. Bankruptcy Court**  
**Middle District of North Carolina**  
**P.O. Box 26100**  
**Greensboro, NC 27402**

**Richard M. Hutson, II**  
**Chapter 13 Trustee**  
**Durham Division**  
**Post Office Box 3613**  
**Durham, NC 27702-3613**

**Alliance One**  
**Attn: Managing Agent**  
**1684 Woodlands Drive, Suite 150**  
**Maumee, OH 43537**

**Applied Business Services**  
**Attn: Managing Agent / Officer**  
**PO Box 910**  
**Edenton, NC 27932**

**Bass & Associates PC**  
**Attn: Managing Agent**  
**3936 E. Ft. Lowell Road, Suite 200**  
**Tucson, AZ 85712**

**BB&T**  
**Bankruptcy Section**  
**P.O. Box 1847**  
**Wilson, NC 27894-1847**

**Cbe Group**  
**Attn: Bankruptcy**  
**Po Box 900**  
**Waterloo, IA 50704**

**CCS**  
**Attn: Managing Agent / Officer**  
**Po Box 9134**  
**Needham Heights, MA 02494**

**Central Emergency Physicians**  
**Mailstop: 49468373**  
**PO Box 660827**  
**Dallas, TX 75266**

**Central Financial Control**  
**Attn: Bankruptcy**  
**Po Box 66044**

Anaheim, CA 92816

Credit Collections Svc  
Po Box 773  
Needham, MA 02494

Credit Protection Association, L.P.  
Attn: Managing Agent / Officer  
13355 Noel Road  
Dallas, TX 75240

Department of Health and Human Services  
Attn: Managing Agent / Officer  
2001 Mail Service Center  
Raleigh, NC 27699

Department of the Treasury  
Financial Management Services  
Po Box 1686  
Birmingham, AL 35201

Dish Network  
Attn: Managing Agent / Officer  
PO Box 94063  
Palatine, IL 60094

ERC/Enhanced Recovery Corp  
8014 Bayberry Rd  
Jacksonville, FL 32256

Farmers Furniture  
Attention: Bankruptcy  
1851 Telfair St.  
Dublin, GA 31040

Fingerhut  
Attn: Managing Agent  
Post Office Box 166  
Newark, NJ 07101-0166

Fort Sill National Bank  
511 Sw A Ave  
Lawton, OK 73501

Fort Sill National Bank  
Attn: Managing Agent / Officer  
511 Sw A Ave  
Lawton, OK 73501

George Brown Associates  
Attn: Managing Agent / Officer  
2200 Crown Point Executive Drive  
Charlotte, NC 28227

Grandpointe  
1112 7th Ave  
Monroe, WI 53566

Grn Cap Fin  
5945 Cliffdale Rd  
Fayetteville, NC 28314

Harnett County Tax Office  
Attn: Bankruptcy/ Kim Baker  
305 W. Cornelius Harnett Blvd., Suite 10  
P.O. Box 250  
Lillington, NC 27546-0250

Harris & Harris, Ltd  
Harris & Harris, Ltd.  
111 W Jackson Blvd 400  
Chicago, IL 60604

Reginald S. Hinton  
Process Agent for NC Depart. of Revenue

Post Office Box 2500  
Raleigh, NC 27640-5000

Internal Revenue Service  
Attn: Special Procedures Staff  
320 Federal Place, Room 335  
Greensboro, NC 27402

Ist Investors  
Attn: Managing Agent / Officer  
380 Interstate N. Parkway, Ste 300  
Atlanta, GA 30339

JI Walston & Associate  
1107 West Main St., Suite 201  
Durham, NC 27701

Lee County Tax Office  
Attn:Bankruptcy  
Post Office Box 1968  
Sanford, NC 27331-1968

Lendmark Financial Services  
Attn: Managing Agent / Officer  
Po Box 2969  
Covington, GA 30015

Med-Care Diabetic  
Attn: Managing Agent / Officer  
933 Clint Moore Road  
Boca Raton, FL 33487

Mid-Carolina Radiology  
Attn: Managing Agent  
P.O. Box 120590  
Newport News, VA 23612

Mohan C. Deachand Md  
Attn: Managing Agent / Officer  
114 South Gulf Street  
Sanford, NC 27330

NC Department of Revenue  
Office Services Division  
Bankruptcy Unit  
P.O. Box 1168  
Raleigh, NC 27602-1168

North Shore Agency  
Attn: Managing Agent / Officer  
Po Box 9221  
Old Bethpage, NY 11804

On-Line Collections  
Attn: Managing Agent / Officer  
Po Box 1489  
Winterville, NC 28590

Online Collections  
Attn: Managing Agent / Officer  
Po Box 1489  
Winterville, NC 28590

Optimum Outcomes  
Attn: Managing Agent / Officer  
421 Fayetteville St Ste 600  
Raleigh, NC 27601

Performat Recovery Inc  
Attn: Managing Agent / Officer  
Po Box 9054  
Pleasanton, CA 94566

Progressive Southeastern Insurance  
Attn: Managing Agent / Officer

Po Box 55126  
Boston, MA 02205

Publisher's Clearing House  
Attn: Managing Agent / Officer  
720 Winners Circle  
Saint Cloud, MN 56399

RJM Acquisitions Funding LLC  
Attn: Managing Agent  
575 Underhill Blvd.  
Suit 224  
Syosset, NY 11791

Santander Consumer USA  
Attn: Managing Agent / Officer  
Po Box 961245  
Fort Worth, TX 76161

Solstas Lab Partners  
Attn: Managing Agent / Officer  
PO Box 35907  
Greensboro, NC 27425

Transworld Systems, Inc  
Attn: Managing Agent / Officer  
507 Prudential Road  
Horsham, PA 19044

Tri-State Adjustments  
Attn: Managing Agent / Officer  
Po Box 3219  
La Crosse, WI 54602

TRS Recovery Services, Inc  
Attn: Managing Agent / Officer  
PO Box 60022  
City of Industry, CA 91716

US Attorney's Office  
Middle District  
P.O. Box 1858  
Greensboro, NC 27402-1858

US Cellular  
Attn: Managing Agent / Officer  
8410 W. Brynmawr, ste 700  
Tulsa, OK 74146-5299

Us Dept. of Education  
Attn: Managing Agent / Officer  
PO Box 87130  
Lincoln, NE 68501

US Path Labs LLC  
Attn: Managing Agent / Officer  
902 Clint Moore Road  
Boca Raton, FL 33487

Virgil Lewis  
34 Pine Lake Drive  
Whispering Pines, NC 28327

W S Badcock Corporation  
Attn: Managing Agent  
PO Box 232  
Mulberry, FL 33860

Wells Fargo Bank  
c/o Sarah Miranda  
Bankruptcy Department  
PO Box 2505  
Fayetteville, NC 28302



**Woodforest Bank**  
**Attn: Managing Agent / Officer**  
**Po box 7889**  
**Spring, TX 77387**

Date: October 30, 2015

/s/ A.B. Harrington, III  
A.B. Harrington, III 1913